

ORIGINAL

Approved: \_\_\_\_\_

*Elizabeth A. Espinosa*  
ELIZABETH A. ESPINOSA  
Assistant United States Attorney

Before: HONORABLE BARBARA C. MOSES  
United States Magistrate Judge  
Southern District of New York

19MAG3744.

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UNITED STATES OF AMERICA : SEALED COMPLAINT  
 :  
 : Violations of  
 -v.- : 18 U.S.C. §§ 1028A,  
 : 1344, 1349, and 2  
 DANIBEL LUIS, :  
 ORIS SANCHEZ OLIVO, : COUNTIES OF OFFENSE:  
 : BRONX, NEW YORK  
 :  
 Defendants. :  
 :  
 :  
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SOUTHERN DISTRICT OF NEW YORK, ss.:

MICHAEL J. LOFORTE, being duly sworn, deposes and says that he is a Postal Inspector with the United States Postal Inspection Service ("USPIS"), and charges as follows:

COUNT ONE  
(Conspiracy to Commit Bank Fraud)

1. From at least in or about September 2017 up to and including at least December 2018, in the Southern District of New York and elsewhere, DANIBEL LUIS and ORIS SANCHEZ OLIVO, the defendants, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit bank fraud, in violation of Title 18, United States Code, Section 1344.

2. It was a part and an object of the conspiracy that DANIBEL LUIS and ORIS SANCHEZ OLIVO, the defendants, and others known and unknown, willfully and knowingly, would and did execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

(Title 18, United States Code, Section 1349.)

COUNT TWO  
(Bank Fraud)

3. From at least in or about September 2017 up to and including at least December 2018, in the Southern District of New York and elsewhere, DANIBEL LUIS and ORIS SANCHEZ OLIVO, the defendants, willfully and knowingly, did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, LUIS and SANCHEZ OLIVO deposited, and aided and abetted the depositing of, fraudulently endorsed checks into bank accounts at financial institutions, and then withdrew funds to which they were not entitled.

(Title 18, United States Code, Sections 1344 and 2.)

COUNT THREE  
(Aggravated Identity Theft)

4. From at least in or about September 2017 up to and including at least December 2018, in the Southern District of New York and elsewhere, DANIBEL LUIS and ORIS SANCHEZ OLIVO, the defendants, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, LUIS and SANCHEZ OLIVO used the names and signatures of other individuals during and in relation to the felony violations charged in Counts One and Two of this Complaint.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

5. I have been a Postal Inspector for approximately six years. I have been personally involved in the investigation of this matter, and I base this affidavit on that personal experience, as well as on my conversations with other law enforcement agents, and my examination of various reports, records and surveillance images. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

6. As set forth in greater detail below, I believe that DANIBEL LUIS and ORIS SANCHEZ OLIVO, the defendants, were involved in a criminal conspiracy in which: coconspirators fraudulently opened bank accounts in the names of victims; LUIS, SANCHEZ OLIVO and other coconspirators known and unknown deposited checks in the names of victims into those fraudulently opened bank accounts; and LUIS, SANCHEZ OLIVO or other coconspirators known and unknown withdrew cash proceeds from the checks deposited into the fraudulently opened bank accounts.

7. Based on my conversations with other law enforcement agents, my review of records, surveillance images, public databases and reports, I have learned the following:

Bank Account-1

8. Based on my review of surveillance images provided by the Victim Bank, I have learned that on or about March 2, 2018, DANIBEL LUIS and ORIS SANCHEZ OLIVO, the defendants, opened a bank account ("Bank Account-1") at a Manhattan branch of a bank ("Victim Bank").

9. Based on my review of documents provided by the Victim Bank, I have learned that to open Bank Account-1, DANIBEL LUIS and ORIS SANCHEZ OLIVO, the defendants, used a particular name ("Victim-1") and provided a signature in Victim-1's name. LUIS and SANCHEZ OLIVO also presented a fraudulent Pennsylvania driver's license in the name of Victim-1 as identification. In connection with opening Bank Account-1, LUIS and SANCHEZ OLIVO deposited \$25 in cash.

10. Based on my review of images and documents provided by the Victim Bank and vehicle registration information, I have learned that on or about March 13, 2018, in the Bronx, New York, an individual driving a vehicle registered to DANIBEL LUIS, the defendant, deposited a U.S. Treasury check in the name of Victim-1 in the amount of approximately \$7705.06 ("Check-1") into Bank Account-1.

11. Based on my review of surveillance images provided by the Victim Bank, I have learned that on or about, March 14, 2018, DANIBEL LUIS, the defendant, withdrew approximately \$760 from Bank Account-1 using an ATM machine in Manhattan, New York.

12. Based on my review of surveillance images provided by the Victim Bank, I have learned that on or about March 16, 2018, ORIS SANCHEZ OLIVO, the defendant, withdrew approximately \$760 from Bank Account-1 using an ATM machine in Manhattan, New York.

#### Bank Account-2

13. Based on my review of documents provided by the Victim Bank, I have learned that on or about, November 2, 2017, an individual opened a bank account ("Bank Account-2") at a New York branch of the Victim Bank. To open Bank Account-2, the individual used a particular name ("Victim-2") and provided a signature in Victim-2's name.

14. Based on my review of surveillance images provided by the Victim Bank, I have learned that between on or about March 15, 2018, and on or about April 9, 2018, in the Bronx and Manhattan, New York, ORIS SANCHEZ OLIVO, the defendant, deposited U.S. Treasury checks in the names of multiple victims totaling approximately \$12,464.69 into Bank Account-2.

15. Based on my review of surveillance images provided by the Victim Bank, I have learned that on or about March 19, 2018, and March 21, 2018, in the Bronx, New York, DANIBEL LUIS, the defendant, deposited checks in the names of two different victims in the amount of approximately \$1810 and \$587, respectively, into Bank Account-2.

16. Based on my review of records and surveillance images provided by the Victim Bank, I have learned that between on or about March 15, 2018, and May 7, 2018, in Manhattan, New York, ORIS SANCHEZ OLIVO, the defendant, made multiple withdrawals in amounts ranging from approximately \$100 to approximately \$760 from Bank Account-2.

17. Based on my review of records and surveillance images provided by the Victim Bank, I have learned that on or about March 21, 2018, in the Bronx, New York, DANIBEL LUIS withdrew approximately \$760 from Bank Account-2.

#### Bank Account-3

18. Based on my review of surveillance images provided by the Victim Bank, I have learned that on or about June 4, 2018, DANIBEL LUIS, the defendant, opened a bank account ("Bank Account-3") at a Manhattan branch of the Victim Bank. To open Bank Account-3, LUIS used a particular name ("Victim-3") and provided a signature in Victim-3's name.

19. Based on my review of surveillance images provided by the Victim Bank, I have learned that between on or about June 19, 2018, and on or about August 27, 2018, in the Bronx, New York, DANIBEL LUIS, the defendant, deposited checks in the name of Victim-3 and other victims, totaling approximately \$7878.55 into Bank Account-3.

20. Based on my review of surveillance images provided by the Victim Bank, I have learned that on or about August 24, 2018, in the Bronx, New York, ORIS SANCHEZ OLIVO, the defendant, deposited two checks in the amounts of approximately \$1344.34 and \$847, respectively, into Bank Account-3.

21. Based on my review of records and surveillance images provided by the Victim Bank, I have learned that on or about August 23, 2018, DANIBEL LUIS, the defendant, withdrew approximately \$760 from Bank Account-3.

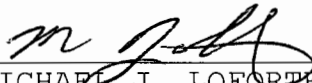
22. Based on my review of records and surveillance images provided by the Victim Bank, I have learned that on or about August 24, 2018, in Bronx, New York, ORIS SANCHEZ OLIVO, the defendant, withdrew approximately \$760 from Bank Account-3.

23. Based on my review of records and surveillance images provided by the Victim Bank, I have learned that DANIBEL LUIS and ORIS SANCHEZ OLIVO, the defendants, and coconspirators known and unknown have opened or accessed approximately 23 bank accounts, including those described above, as part of the bank fraud scheme described herein.


24. Based on my review of records and surveillance images provided by the Victim Bank, I have learned that DANIBEL LUIS and ORIS SANCHEZ OLIVO, the defendants, and coconspirators known and unknown have endorsed and deposited into those bank accounts checks totaling approximately \$418,175 that belong to others and to which they are not entitled.

25. Based on my training, experience, and review of open source material, I have learned, in substance and in part, that the Victim Bank was insured by the Federal Deposit Insurance Corporation during the time period during which the defendants executed the transactions described above.

WHEREFORE, the deponent respectfully requests that a warrant be issued for the arrest of DANIBEL LUIS and ORIS SANCHEZ OLIVO, the defendants, and that they be arrested, and imprisoned or bailed, as the case may be.

  
MICHAEL J. LOFORTE  
Postal Inspector  
United States Postal Inspection  
Service

Sworn to before me this  
17th day of April, 2019.

  
HONORABLE BARBARA C. MOSES  
United States Magistrate Judge  
Southern District of New York